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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/700,248	11/03/2003	Guy Storer	920190-95021	3778
23644 7590 09/11/2007 BARNES & THORNBURG LLP P.O. BOX 2786 CHICAGO, IL 60690-2786			EXAMINER KANE, CORDELIA P	
			ART UNIT 2132	PAPER NUMBER
			MAIL DATE 09/11/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/700,248

Applicant(s)

STORER ET AL.

Examiner

Cordelia Kane

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 August 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments, see Remarks, filed August 8, 2007, with respect to the rejections of claims 1 – 7 under 103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new grounds of rejection is made.

### ***Claim Objections***

2. Claim 1 is objected to because of the following informalities: in part c applicant refers to a "further server computing". It is assumed for the purposes of examination that a "further server computer" was the intended language. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.

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2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

5. Claims 1, 2, 4, and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jingsha He's US Patent 5,944,824, and further in view of Seth Blumberg's US Publication 2001/0056548 A1. He discloses:

- a. The first network (Figure 1) including a plurality of client computers and a first server computer having log-on software (column 2, lines 28-30). The first network is the network between the users and the security server.
  - b. The first server computer having permission to access the further networks (column 4, lines 25-26). In order for the security server to establish mutual trust between the NE and the user, it would need to have permission to access the NE.
  - c. Each of the further networks (Figure 1, Elements, 24 and 20) including a further server computer having log-on software for enabling a user currently logged on at the first server computer to also log on to the further server computer (column 14, line 55 – column 15, line 3). The further network is the network between the secure terminal server and the network elements.
  - d. The further server computer including terminal service software for enabling a remote desktop session to be run on the further server computer (column 3, line 9).
6. He does not explicitly disclose a firewall for each network. However, Blumberg discloses a firewall that improves security and protects the computer (page 1,

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paragraph 10). He and Blumberg are analogous art because they are from the same field of endeavor, network security. At the time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of He and Blumberg before him or her, to modify the network of He to include the firewall of Blumberg. The motivation for doing so would have been that the firewall makes the system more secure (page 1, paragraph 10).

7. Referring to claim 2, He teaches providing the user with a list of further networks that the user is permitted to access requiring the user to select only from that list (column 14, lines 55-59).

8. Referring to claim 4, He teaches that the first network is connected to the further networks by way of the Internet (column 4, lines 38-40).

9. Claims 3, 5 and 6 are rejected under 35 USC 103 (a) as being obvious over He in view of Blumberg, and further in view of Mazhar Mohammed et al's US Patent 6,973,482 B2. He in view of Blumberg discloses all the limitations of the parent claims. He in view of Blumberg does not explicitly disclose that the networks are an IT services network and a customer network enabled to communicate to run support software. However, Mohammed discloses:

e. After the user is logged on to the further server computer, presenting the user with a list of application programs the user is permitted to launch (column 7, lines 45-47). The administrator is performing a login on the client with minimal

privileges, thus implying some list of applications or actions that may be performed by the administrator.

f. The first network is an IT support service providers network and each of the further networks is a customers network (Background).

g. The application software comprises support software for remotely diagnosing and repairing faults on a customers network (column 6, lines 55-60).

10. He in view of Blumberg and Mohammed are analogous art because they are from the same field of endeavor, accessing remote elements. At the time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of He in view of Blumberg and Mohammed before him or her, to modify the system and method of He in view of Blumberg to include the IT Support Service specifics of Mohammed. The motivation for doing so would have been to enable the network administrator to perform the functions of the administrator such as providing remote assistance to the computer (Mohammed, Background).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cordelia Kane whose telephone number is 571-272-7771. The examiner can normally be reached on Monday - Thursday 8:00 - 5:00 EST.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CPK

Cordelia Kane  
Patent Examiner  
Art Unit 2132

  
Benjamin E. Carter  
Examiner AU 2132